

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0585MH-41322

In re Application of:

ROGER K. STONE

Patent No. **5,924,490**

Issued: **20 JULY 1999**

For: **WELL TREATMENT TOOL AND METHOD OF USING THE SAME**

REISSUE DECLARATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Roger K. Stone, sole inventor of the patent identified above, do hereby declare as follows:

- (1) I believe the original patent identified above to be partly inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent.
- (2) In particular, the present patent is partly inoperative or invalid by reason of claiming less than I had the right to claim in the original patent, and less than I intended the original patent to cover. The claims issued in the original patent were directed to a well treatment tool and method of treating a well.
- (3) Not included in the claims of the original patent were one or more claims directed to an embodiment of the overall system, shown and described in connection with Figures 3 and 4 of the original patent. By means of the claims being filed with this reissue application

(claims 36 - 43), directed to the overall system, this deficiency of the reissue patent is addressed by this reissue application.

(4) In addition, the claims of the original patent all refer to a sucker rod string for transmitting the treatment fluid. This could arguably be interpreted less broadly than the general term "string" when used to carry the treatment fluid. As is known in the art, other terms for a string can be used, and result in the same or similar system to that described in the specification. Newly added claims 21 - 35 generally track the original claims, utilizing the term "treatment fluid string" for transmitting the treatment fluid. Because the entirety of the specification shows a string being used to transport treatment fluids, this claim language is supported by the original specification.

(5) All errors that are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

(6) My residence, post office address and citizenship are as stated below next to my name.

(7) I believe that I am the original, first, and sole inventor of the subject matter which is claimed and for which a reissue patent is hereby sought.

(8) I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

(9) I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

(10) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint **Melvin A. Hunn, Reg. No. 32,574** and **Kenneth C. Hill, Reg. No. 29,650** to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Roger K. Stone

Post office and mailing Address: 1112 Granada
Odessa, Texas

Citizenship: USA

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Examiner:

Group Art Unit:

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
UNDER 37 C.F.R. § 1.27(c)**

Assistant Commissioner for Patents
Washington, D.C.

Sir:

Pursuant to 37 C.F.R. 1.27(c)(2)(i), the undersigned hereby asserts that Roger K. Stone is an independent inventor as defined in 37 C.F.R. § 1.9(c), and is entitled to small entity status for purposes of paying reduced fees under Section 41 (a) and (b) of

CERTIFICATE OF EXPRESS MAIL 37 C.F.R. § 1.10

Express Mail No. **EL803499180US**

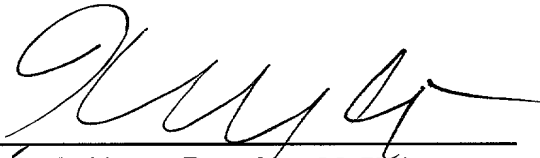
I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail "Post Office to Addressee" in an envelope addressed to: Assistant Commissioner for Patents, Box Application, Washington, D.C. 20231 on the date below.

20 July 2001
Date

Martha Bellwood
Signature

Title 35, United States Code, to the U.S. Patent and Trademark Office with regard to the subject invention.

Respectfully submitted,



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